

§ 179.3

with one or more of the requirements of parts 179 or 180 of this subchapter.

(11) *Tanks* means tank car tanks.

(b) [Reserved]

[29 FR 18995, Dec. 20, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967, and amended by Amdt. 179-10, 36 FR 21344, Nov. 6, 1971; Amdt. 179-50, 60 FR 49076, Sept. 21, 1995; Amdt. 179-50, 61 FR 33255, June 26, 1996]

§ 179.3 Procedure for securing approval.

(a) Application for approval of designs, materials and construction, conversion or alteration of tank car tanks under these specifications, complete with detailed prints, shall be submitted in prescribed form to the Secretary, Mechanical Division, AAR, for consideration by its Committee on Tank Cars and other appropriate committees. Approvals or rejections of applications, based on appropriate committee action, shall be issued by said Secretary.

(b) When, in the opinion of the Committee, such tanks or equipment therefor are in compliance with effective regulations and specifications of the Department, the application will be approved.

(c) When, in the opinion of the Committee, such tanks or equipment therefor are not in compliance with effective regulations and specifications of the Department, the Committee may recommend service trials to determine the merits of a change in specifications. Such service trials may be authorized by the Department under the terms of exemptions.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179-41, 52 FR 36672, Sept. 30, 1987]

§ 179.4 Changes in specifications for tank cars.

(a) Proposed changes in or additions to specifications for tanks shall be submitted to the Secretary, Mechanical Division, AAR, for consideration by its Committee on Tank Cars. An application for construction of tanks to any new specification may be submitted with proposed specification. Construction should not be started until the specification has been approved or an exemption has been issued. When proposing a new specification, the applicant shall furnish information to jus-

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tify a new specification. This data should include the properties of the lading and the method of loading and unloading.

(b) The Subcommittee on Specifications of the Committee on Tank Cars shall review the proposed specification at its earliest convenience and report its recommendations to the Committee on Tank Cars for prompt consideration. The Committee on Tank Cars shall report its recommendations through said Secretary to the Department; such reports may be submitted to the Bureau of Explosives for its recommendation before action by the Department. Expert opinion thus obtained will be given due consideration by the Department in determining appropriate action.

[29 FR 18995, Dec. 29, 1964. Redesignated at 32 FR 5606, Apr. 5, 1967 and amended by Amdt. 179-41, 52 FR 36672, Sept. 30, 1987]

§ 179.5 Certificate of construction.

(a) Except as provided in paragraph (b) of this section, before a tank car is placed in service, the party assembling the completed car shall furnish a Certificate of Construction, Form AAR 4-2 to the owner, the Bureau of Explosives (as required by § 179.5(d)), and the Secretary, Mechanical Division, AAR, certifying that the tank, equipment, and car completed comply with all the requirements of the specification.

(b) Before a tank of Class DOT-106A, 107A, or 110A is placed in service, the builder must furnish a Certificate of Construction, Form AAR 4-2 to the owner, the Bureau of Explosives (as required by paragraph (d) of this section), and the Secretary, Mechanical Division, AAR, in addition to a Certificate of Inspector's Report as required in § 179.300-20 and § 179.500-18 in prescribed form certifying that the tank and appurtenances comply with all the requirements of the specifications.

(c) If the owner elects to furnish the appurtenances such as valves and safety devices, the owner shall furnish to the Bureau of Explosives, and to the Secretary, Mechanical Division, AAR, a report in prescribed form, certifying that the appurtenances comply with all the requirements of the specifications.